

PATENT  
ATTORNEY DOCKET NO.: 041514-5171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Mitsuru NISHITSUKA et al. ) Confirmation No.: 2693  
)  
Application No.: 09/516,731 ✓ ) Group Art Unit: 2828  
)  
Filed: March 1, 2000 ) Examiner: A. Rodriguez  
)  
For: SEMICONDUCTOR LASER DEVICE )  
PROVIDING LASER LIGHT OF TWO )  
WAVELENGTHS AND METHOD OF )  
FABRICATING THE SAME )

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Non-Fee Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Office Action dated April 11, 2003 (Paper No. 15).

2. Additional papers enclosed:

- ☒ Submission of Formal Drawings (with attached 7 sheets of drawings containing 11 figures)  
☐ Information Disclosure Statement  
☐ Form PTO-1449, \_\_\_\_\_ references included  
☐ Citations  
☐ Declaration of Biological Deposit  
☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

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JUL 14 2003  
TECHNOLOGY CENTER 2800

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months<br/>Requested</u>     | <u>Fee for<br/>Extension</u> | <u>[Fee for Small<br/>Entity]</u> |
|---------------------------------------|------------------------------|-----------------------------------|
| <input type="checkbox"/> one month    | \$ 110.00                    | \$ 55.00                          |
| <input type="checkbox"/> two months   | \$ 410.00                    | \$ 205.00                         |
| <input type="checkbox"/> three months | \$ 930.00                    | \$ 465.00                         |
| <input type="checkbox"/> four months  | \$ 1,450.00                  | \$ 725.00                         |

Extension of time fee due with this request: \$\_\_\_\_\_.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

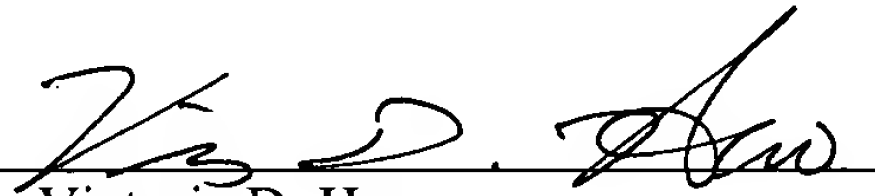
| CLAIMS AS AMENDED                                     |   |       |                                |                  |              |            |
|---|---|-------|--------------------------------|------------------|--------------|------------|
|   | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously Paid | Present<br>Extra | at Rate of   | Total Fees |
| Total Claims<br>(37 C.F.R. §1.16(c))                  | 17  | minus | 20                             | 0                | x \$18 each= | + \$0.00   |
| Independent Claims<br>(37 C.F.R. §1.16(b))            | 2   | minus | 3                              | 0                | x \$84 each= | + \$0.00   |
| [ ] First presentation of Multiple dependent claim(s) |   |       |                                |                  | \$280.00     | + \$0.00   |
| SUB-TOTAL =   |   |       |                                |                  |              | \$0.00     |
| Reduction by ½ for filing by a small entity           |   |       |                                |                  |              | - \$0.00   |
| TOTAL FEE =   |   |       |                                |                  |              | \$0.00     |

6. Fee Payment

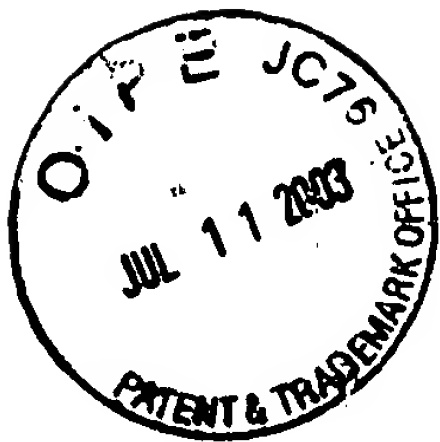
- ☒ No fee is to be paid at this time.
- ☐ Please charge Deposit Account No. 50-0310 the amount of \$\_\_\_\_\_ for the extension of time fee or fee for claims.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,  
**MORGAN, LEWIS & BOCKIUS LLP**

Dated: July 11, 2003

By:   
 Victoria D. Hao  
 Reg. No. 47,630

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Attorney Docket No. 041514-5171

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**AMENDMENT**

In response to the Office Action dated April 11, 2003 (Paper No. 15), the period for response to which extends through July 11, 2003, please amend the above-identified application as follows:

17/c Amdt  
7-16-03  
A. Well

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